#/2

Patent
Attorney's Docket No. 003300-723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Lars A. HANSON *et al.*)	Group Art Unit: Unassigned
)	
Serial No.: 09/743,107)	Examiner: Unassigned
)	
Filed: January 5, 2001)	**ATTENTION: BOX SEQUENCE**
)	
For: PEPTIDES BASED ON THE)	
SEQUENCE OF HUMAN)	
LACTOFERRIN AND THEIR USE)	

DECLARATION PURSUANT TO
37 C.F.R. §§ 1.821-1.825

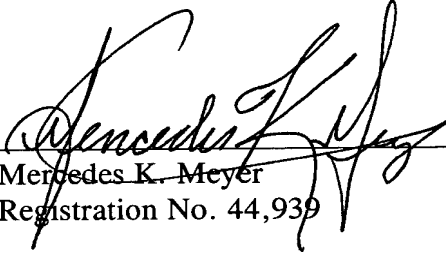Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Mercedes K. Meyer, declare as follows:

1. That the content of the paper and computer readable copies of the Sequence

   Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e),

   respectively, are the same in compliance with § 1.821(f).

2. That the submission, filed in accordance with 37 C.F.R. § 1.821(h), herein is

   not believed to include any prohibited new matter or go beyond the disclosure in

   the international application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<u>September 13, 2001</u>
Date

Mercedes K. Meyer
Registration No. 44,939

- 2 -

U.S. APPLICATION NO.		FIRST NAMED APPLICANT		ATTY. DOCKET NO.
09/743107		HANSON	L	003300-723

BENTON S DUFFETT
BURNS DOANE SWECKER & MATHIS
PO BOX 1404
ALEXANDRIA, VA 22313 1404

INTERNATIONAL APPLICATION NO.
PCT/SE99/01230

I.A. FILING DATE	PRIORITY DATE
06 JUL 99	06 JUL 98

DATE MAILED: 1 3 AUG 2001

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

[x] The application fails to comply with the requirements of 37 CFR 1.821-1.825.

[ ] This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).

[ ] A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).

[x] A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

[ ] The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

[ ] The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
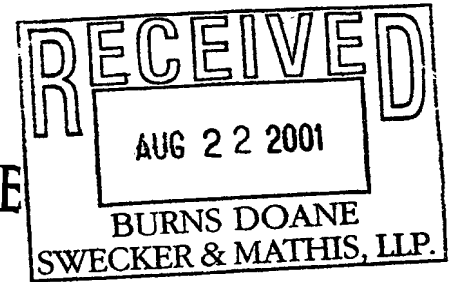
[ ] Other:_____

APPLICANT MUST PROVIDE:

[x] An initial or substitute computer readable form (CRF) of the "Sequence Listing."

[ ] An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

[x] A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

Barbara A. Campbell
Telephone: 703-305-3631

FORM PCT/DO/EO/920 (March 2001)

UNITED STATES
PATENT AND
★★★★ # TRADEMARK OFFICE

PCT OPERATIONS

FACSIMILE TRANSMISSION COVER SHEET

DATE: _August 22, 2001_

TO: _Mercedes Myer_

TELEPHONE: _703 838-6561_
FAX NO.: _703 836-2021_

FROM: _Barbara Campbell_

TELEPHONE: _703 305-3631_
FAX NO.:   703-308-4785 OR 703-305-3230

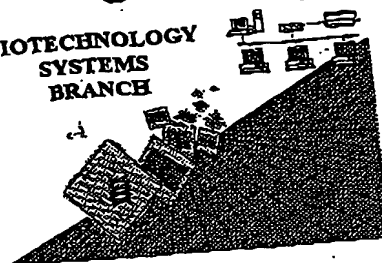MESSAGE: _Raw Sequence Listing Error Report missing from Office Action mailed on 8/13/01 Serial No. 09/743,107_

NUMBER OF PAGES _6_ (INCLUDING THIS PAGE)

BIOTECHNOLOGY
SYSTEMS
BRANCH

RAW SEQUENCE LISTING
ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/743,107

Source: PCT

Date Processed by STIC: 2/5/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:
1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT,
2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT,

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.
PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)
PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.
Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:
http://www.uspto.gov/web/offices/pac/checker

PCT

RAW SEQUENCE LISTING   DATE: 07/05/2001
PATENT APPLICATION: US/09/743,107   TIME: 15:52:03

Input Set : A:\003300-723.ST25.txt
Output Set: N:\CRF3\07032001\I743107.raw   **Does Not Comply**
                                                  Corrected Diskette Needed

```
 4 <110> APPLICANT: Hanson, Lars A.
 5         Baltzer, Lars
 6         Mattsby-Baltzer, Inger
 7         Dolphin, Gunnar T.
 9 <120> TITLE OF INVENTION: Peptides Based on the Sequence of Human Lactoferrin
10         and Their Use
12 <130> FILE REFERENCE: 003300-723
14 <140> CURRENT APPLICATION NUMBER: US 09/743,107
15 <141> CURRENT FILING DATE: 2001-06-05
17 <150> PRIOR APPLICATION NUMBER: PCT/SE99/01230
18 <151> PRIOR FILING DATE: 2000-09-29
20 <150> PRIOR APPLICATION NUMBER: SE 9802441-7
21 <151> PRIOR FILING DATE: 1998-07-06
23 <150> PRIOR APPLICATION NUMBER: SE 9802562-0
24 <151> PRIOR FILING DATE: 1998-07-17
26 <150> PRIOR APPLICATION NUMBER: SE 9804614-7
27 <151> PRIOR FILING DATE: 1998-12-29
29 <160> NUMBER OF SEQ ID NOS: 101  /00 (next page)
31 <170> SOFTWARE: PatentIn version 2.1
```

IRORED SEQUENCES

FYI
Use of n and/or Xaa has been detected in the Sequence Listing.
Review the Sequence Listing to insure a corresponding
explanation is presented in the <220> to <223> fields of
each sequence using n or Xaa.

e://C:\CRF3\Outhold\Vsrl743107.htm   7/5/01

09/743,101 *2*

last sequence in file

```
<210> 100
<211> 29
<212> PRT
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence:a fragment of
      human lactoferrin consisting of the amino acids in
      positions 12-40

<400> 100
Val Ser Gln Pro Glu Ala Thr Lys Cys Phe Gln Trp Gln Arg Asn Met
  1               5                  10                  15

Arg Lys Val Arg Gly Pro Pro Val Ser Cys Ile Lys Arg
              20                  25
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see next page for more error

7/743,107   3

```
<210> 60
<211> 14
<212> PRT
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence: of natural or
      artificial origin, corresp. to a modification of
      the seq. consisting of aa 18-31 in human
      lactoferrin; lactams formed between aa 3 and 7,
      and 9 and 13
```

Mark up - per 1.823 of Sequence Rules, the maximum number of lines in <223> response is 4.

VERIFICATION SUMMARY   DATE: 07/05/2001
PATENT APPLICATION: US/09/743,107   TIME: 15:52:04

Input Set : A:\003300-723.ST25.txt
Output Set: N:\CRF3\07032001\I743107.raw

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:15 M:271 C: Current Filing Date differs, Replaced Current Filing Date
:86 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1
:89 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1
:903 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:43
:1240 M:259 W: Allowed number of lines exceeded, <223> Other Information:
:1268 M:259 W: Allowed number of lines exceeded, <223> Other Information:
:1772 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:87
:1772 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:87
:1772 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:87
:1792 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:88
:1792 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:88
:1792 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:88
:1812 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:89
:1812 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:89
:1812 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:89
:1832 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:90
:1832 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:90
:1832 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:90
:2003 M:283 W: Missing Blank Line separator, <220> field identifier
:2039 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:99
:29 M:203 E: No. of Seq. differs, <160> Number Of Sequences:Input (101) Counted (100)
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C:\CRF3\Outhold\VsrI743107.htm   7/5/01